

REMARKS

This Amendment is being filed in response to the Office Action mailed on June 13, 2008 which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-17 remain in this application, where claims 16-17 have been added by the present amendment, and claims 1 and 12 are independent.

By means of the present amendment, the current Abstract has been deleted and substituted with the enclosed New Abstract which better conforms to U.S. practice.

By means of the present amendment, claims 1-12 have been amended for non-statutory reasons, such as for better form including beginning the dependent claims with 'The' instead of 'A', changing "characterized in that" to --wherein--, and deleting reference numerals typically used in European practice that are known to not limit the scope of the claims. Such amendments to claims 1-12 were not made in order to address issues of patentability and Applicant respectfully reserves all rights under

the Doctrine of Equivalents.

In the Office Action, claim 13 is rejected under 35 U.S.C. §112, second paragraph as allegedly indefinite. In response, claim 13 has been amended to remove the alleged informalities noted in the Office Action. It is respectfully submitted that the rejection of claim 13 has been overcome and an indication as such is respectfully requested.

In the Office Action, claims 1-4, 6-7, 9 and 12-14 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by WO 03/079449 (Childs). Further, claim 5 is rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Childs in view of U.S. Patent Application Publication No. 2005/0057151 (Kuwabara). Claims 8 and 10 are rejected under 35 U.S.C. §102(e) as allegedly unpatentable over Childs. Claim 11 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Childs in view of U.S. Patent No. 6,873,091 (Bechtel). Claim 15 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Childs in view of U.S. Patent No. 6,226,171 (Beilin). It is respectfully submitted that claims 1-17 are patentable over Childs, Kuwabara, Bechtel and Beilin for at least the following reasons.

Childs is directed to a display device having barriers 210 are between neighboring pixels 200. As clearly shown in FIG 8, an upper electrode 23 does not continuously cover two adjacent barriers 210. Rather, an insulating coating 40 separates two adjacent upper electrodes 23.

In stark contrast, the present invention as recited in independent claim 1, and similarly recited in independent claim 12, amongst other patentable elements recites (illustrative emphasis provided) :

wherein two adjacent ones of said electrically conductive structures are continuously covered by said electrode layer.

Two adjacent electrically conductive structures being continuously covered by an electrode layer are nowhere disclosed or suggested in Childs. Kuwabara, Bechtel and Beilin are cited to allegedly show other features and do not remedy the deficiencies in Childs.

Accordingly, it is respectfully requested that independent claims 1 and 12 be allowed. In addition, it is respectfully submitted that claims 2-11 and 13- 17 should also be allowed at least based on their dependence from independent claims 1 and 12,

PATENT

Serial No. 10/579,312

Amendment in Reply to Office Action of June 13, 2008

as well as their individually patentable elements.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

By Dicran Halajian
Dicran Halajian, Reg. 39,703
Attorney for Applicant(s)
September 11, 2008

THORNE & HALAJIAN, LLP
Applied Technology Center
111 West Main Street
Bay Shore, NY 11706
Tel: (631) 665-5139
Fax: (631) 665-5101